RAJYASABHA

Monday, the \9th November, 2007/28 *Kartika,* 1929 *(Saka)*

The House met at eleven of the clock,

MR. CHAIRMAN in the Chair.

RE. QUESTION HOUR

MR. CHAIRMAN: Question No.41...*(Interruptions)*... Question No.41 ...*(Interruptions)*

SHRI RAVULA CHANDRA SEKAR REDDY: Sir, I have given a notice...*(Interruptions)*

MR. CHAIRMAN: Please allow the Question-Hour to proceed. *(Interruptions)* No banners, please ...*(Interruptions)*... No banners, please ...*(Interruptions)*... Please allow the Question-Hour to proceed ...*(Interruptions)*... Please allow the Question-Hour to proceed. *terruptions)*... Please sit down ...*(Interruptions)*... Please sit down ...*(Interruptions)*... No banners, please... *(Interruptions)*... No banners, please... *(Interruptions)*... The House is adjourned till 12 o'clock.

The House then adjourned at two minutes past eleven of the clock.

The House reassembled at twelve of the clock, MR. DEPUTY CHAIRMAN in the Chair.

WRITTEN ANSWERS TO STARRED QUESTIONS

Penalty in dowry death cases

*41. SHRIMATI N.P. DURGA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the reasons behind the Law Commission's recommendation not to prescribe capital punishment in dowry death cases;

(b) whether the Commission's recommendations are binding on Government or are only persuasive in nature; and

(c) what would be the legal position in case the dowry death falls within the ambit of offence of murder?

THE MINISTER OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ):
i) The Law Commission in its 202nd Report on "Proposal to amend Section 304-B of Indian penal Code" (available on the website-http://Iawcornmissionofindia.nic.in) has opined that there is no warrant for prescribing death sentence for the offence of dowry death as defined in

Section 304-B of Indian Penal Code having regard to presumptive character of the offence, absence of direct connection between the death and the offender and the gravity of culpable conduct as well as the object sought to be achieved thereby. Further, there is distinction between Section 302 (Murder) and Section 304-B (dowry death) of the IPC. If charge is framed under Section 304-B, but after recording and appreciation of evidence, the case proved to be a case under Section 302, the charge can be altered and the accused can very well be punished under Section 302 and if the court finds that the case under Section 302 to be a rarest of rare cases, then the offender can very well be awarded with capital punishment.

(b) The Commission's recommendations are not binding on the Government and are only recommendatory/advisory in nature.

(c) If the case of dowry death falls within the ambit of offence of murder, then the competent court can award punishment under Section 302 of IPC.

Policy for non-conventional energy schemes

*42 SHRI M.V. MYSURA REDDY: Will the Minister of NEW AND RENEWABLE ENERGY be pleased to state:

(a) whether Government have formulated any non-conventional energy policy in the country;

(b) if so, the details and the features thereof and the role of such policy in rural, tribal and remote areas of the country;

(c) whether this policy is being implemented in the country;

(d) if so, the details of funds allocated, released and actually spent on implementation of various projects in rural areas of the country during the last three years, till date, project-wise, State-wise and year-wise; and

(e) the details of non-conventional energy sources which are operational at present, alongwith the potential sources for the same, State-wise?

THE MINISTER OF STATE OF THE MINISTRY OF NEW AND RENEWABLE ENERGY (SHRI VILAS MUTTEMWAR): (a) and (b) No, Sir. However, an Expert Committee constituted by the Planning Commission has prepared an Integrated Energy Policy Report (IEPR) covering all sources of energy including renewable energy sources. This report has highlighted the need to maximally develop domestic supply options and diversify energy sources. It has also projected that renewables may account for 5 to 6 per cent of India's energy mix by 2031-32 and has observed that the distributed nature of renewables can provide many socio-economic benefits for the country, including its rural, tribal and remote areas.

(c) The recommendations of the IEPR are yet to be accepted by the Government. Meanwhile, the Ministry has proposed an outlay of Rs. 10,460 crore for the 11 th Plan period for development of new and renewable energy in the country.

(d) State-wise details of the central financial assistance provided by the Ministry under various renewable energy schemes/programmes during the last three years, *viz.,* 2004-05,2005-06, 2006-07 are given in Statement-I. *(See* below)

(e) The renewable energy sources exploited so far in the country are solar, wind, small hydro and bio energy. Details of their estimated potential and cumulative achievements as on 30.9.2007 under different programmes are given in Statement-H *(See* below) State-wise details of the cumulative achievements are given in Statement-Ill.